

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 609 be amended to read as follows:

- 1 Page 9, between lines 32 and 33, begin a new paragraph and insert:
- 2 "SECTION 8. IC 6-3.5-6-1 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JANUARY 1, 2006]: Sec. 1. As used in this
- 4 chapter:
- 5 "Adjusted gross income" has the same definition that the term is
- 6 given in IC 6-3-1-3.5. However, in the case of a county taxpayer who
- 7 is not treated as a resident county taxpayer of a county, the term
- 8 includes only adjusted gross income derived from his principal place of
- 9 business or employment.
- 10 "Civil taxing unit" means any entity, except a school corporation,
- 11 that has the power to impose ad valorem property taxes. The term does
- 12 not include a solid waste management district that is not entitled to a
- 13 distribution under section 1.3 of this chapter. However, in the case of
- 14 a county in which a consolidated city is located, the consolidated city,
- 15 the county, all special taxing districts, special service districts, included
- 16 towns (as defined in IC 36-3-1-7), and all other political subdivisions
- 17 except townships, excluded cities (as defined in IC 36-3-1-7), **a public**
- 18 **transportation corporation established under IC 36-9-4**, and school
- 19 corporations shall be deemed to comprise one (1) civil taxing unit
- 20 whose fiscal body is the fiscal body of the consolidated city.
- 21 "County income tax council" means a council established by section
- 22 2 of this chapter.
- 23 "County taxpayer", as it relates to a particular county, means any
- 24 individual:
- 25 (1) who resides in that county on the date specified in section 20

of this chapter; or

(2) who maintains his principal place of business or employment in that county on the date specified in section 20 of this chapter and who does not reside on that same date in another county in which the county option income tax, the county adjusted income tax, or the county economic development income tax is in effect.

"Department" refers to the Indiana department of state revenue.

"Fiscal body" has the same definition that the term is given in IC 36-1-2-6.

"Resident county taxpayer", as it relates to a particular county, means any county taxpayer who resides in that county on the date specified in section 20 of this chapter.

"School corporation" has the same definition that the term is given in IC 6-1.1-1-16."

Page 13, line 4, strike "as" and insert "**established**".

Page 13, strike line 5.

Page 13, line 6, strike "IC 36-9-4-42;" and insert "**IC 36-9-4;**".

Page 18, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 16. IC 36-9-4-42 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2006]: Sec. 42. (a) A municipality or a public transportation corporation that expends money for the establishment or maintenance of an urban mass transportation system under this chapter may acquire the money for these expenditures:

(1) by issuing bonds under section 43 or 44 of this chapter;

(2) by borrowing money made available for such purposes by any source;

(3) by accepting grants or contributions made available for such purposes by any source;

(4) in the case of a municipality, by appropriation from the general fund of the municipality, or from a special fund that the municipal legislative body includes in the municipality's budget; or

(5) in the case of a public transportation corporation, by levying a tax under section 49 of this chapter or by recommending an election to use revenue from the county option income taxes, as provided in subsection (c).

(b) Money may be acquired under this section for the purpose of exercising any of the powers granted by or incidental to this chapter, including:

(1) studies under section 4, 9, or 11 of this chapter;

(2) grants in aid;

(3) the purchase of buses or real property by a municipality for lease to an urban mass transportation system, including the payment of any amount outstanding under a mortgage, contract of sale, or other security device that may attach to the buses or real property;

(4) the acquisition by a public transportation corporation of

1 property of an urban mass transportation system, including the
 2 payment of any amount outstanding under a mortgage, contract of
 3 sale, or other security device that may attach to the property;

4 (5) the operation of an urban mass transportation system by a
 5 public transportation corporation, including the acquisition of
 6 additional property for such a system; and

7 (6) the retirement of bonds issued and outstanding under this
 8 chapter.

9 (c) This subsection applies only to a public transportation
 10 corporation located in a county having a consolidated city. In order to
 11 provide revenue to a public transportation corporation during a year, the
 12 public transportation corporation board may recommend and the county
 13 fiscal body may elect to provide revenue to the corporation from part
 14 of the certified distribution, if any, that the county is to receive during
 15 that same year under IC 6-3.5-6-17. To make the election, the county
 16 fiscal body must adopt an ordinance before September 1 of the
 17 preceding year. The county fiscal body must specify in the ordinance
 18 the amount of the certified distribution that is to be used to provide
 19 revenue to the corporation. If such an ordinance is adopted, the county
 20 fiscal body shall immediately send a copy of the ordinance to the
 21 county auditor."

22 Renumber all SECTIONS consecutively.

(Reference is to ESB 609 as printed March 18, 2005.)

Representative Crawford